2024/0567

Applicant: Mr A Woodrow

Erection of 1no detached dormer bungalow and associated works including conservatory to rear

Land at Surrey Close, Worsbrough Common, Barnsley, S70 4NB

One letter of objection has been received.

Site Description

The application relates to an undeveloped infill plot, which is currently overgrown with vegetation, at the head of a residential cul-de-sac adjacent to 16 Surrey Close. The site is located in a predominantly residential area characterised almost entirely of red brick, two-storey, semi-detached dwellings.

The site is irregular in form; triangular shaped with a section of the red line boundary including the head of the cul-de-sac. The area to the north is within the blue line boundary and subject to a separate application. There is a significant south to north topographical difference in the vicinity. The area generally falls south to north, however, there is also some fall across the site east to west. The topographical differences result in the dwellings located along the southern side of Surrey Close being located at an elevated position to the highway and the properties along the northern side, with these properties being elevated to the most northernly corner of the site. The site is set at a slightly higher level than the rear gardens associated with dwellings fronting onto Highstone Avenue which are located directly to the west and arranged in a linear manner.

The site was formerly Council owned land sold by auction with the potential for a small amount of residential development.

Relevant Site History

2018/0321 – Erection of 2 no. detached dwellings and associated access and parking (Outline with all matters reserved) – Refused January 2019

1. *In the opinion of the Local Planning Authority, the proposed development would be contrary to Adopted Local Plan Policy D1 High Quality Design and Place Making and the SPD 'Designing New Housing Development', in that it would be an undesirable form of backland development that would be materially detrimental to the amenities of the neighbouring properties by reason of disturbance from increased residential and vehicular activity, and from overlooking and loss of privacy. Furthermore, the proposal would not integrate well within the immediate area, nor reflect the development pattern of the area, to the detriment of the overall character and layout resulting in an incongruous form of development*

2023/0173 – Erection of 1no detached dormer bungalow and associated works including conservatory to rear – Refused August 2023

1. *The application site is located on a plot which has been identified and allocated as Green Belt in the Local Plan which requires the developer to enter into a legal agreement and meet necessary planning obligations to mitigate the loss of green space on the site through off-site financial contributions to improving existing green space in the area, or the creation*

of new green space, in line with Local Plan Policy GS1 and the Council's SPD for Open Space Provision. The applicant has refused to enter into such a legal agreement which would provide off-site financial contribution for the above which would contrary to Local Plan Policies GS1, I1 and the SPD for Open Space Provision, rendering the proposed development unacceptable in principle due to the lack of appropriate funding to secure community benefit which would mitigate the loss of green space.

2. *In the opinion of the Local Planning Authority, the proposed development is a poorly designed dwelling which features a flat roof dormer on each of the front and rear roof slopes which are bulky, horizontally emphasised and dominate the roof slope/proposed dwelling. The proposed design is not considered to be in keeping with the character of the surrounding area, forming an incongruous feature in the street scene which does not raise the design or architectural quality of the surrounding area, and has a harmful impact on the visual amenity of the area, contrary to Local Plan Policy D1, the Council's SPD for Design of Housing Development, the South Yorkshire Residential Design Guide (SYRDG) and NPPF paragraph 134.*

3. *The proposed development introduces a dormer on the rear roof slope of the proposed dwelling which contains 2 x habitable room (bedroom) windows facing onto the existing neighbouring properties located to the North-West on Highstone Avenue, at a distance which falls short of the minimum required separation distance in the Council's SPD for Design of Housing Development - 10m to the rear boundary line and 21m between habitable room windows, respectively. In the opinion of the Local Planning Authority, the proposed relationship between the development and the existing neighbours will result in a significant loss of privacy for the existing residents, to both the rear elevations and rear garden areas, of nos. 32 and 34 Highstone Avenue, having a detrimental impact on amenity enjoyed by existing and future residents, contrary to Local Plan Policy GD1: General Development and the SPD for Design of Housing Development.*

4. *The applicant has submitted an ecology survey dated from December 2017 which exceeds the lifespan of ecology survey as outlined by CIEEM's Advice note for ecological report writing (April 2019) which states that reports over 3 years old are unlikely to be valid. Despite numerous requests, the applicant has failed to supply an up-to-date and accurate ecology survey which would allow the LPA and the Council's ecologists to make a fully informed assessment of the potential impacts of the proposed development upon habitats and protected species. The lack of an up-to-date and accurate ecology report which is contrary to Local Plan Policy BIO1 and the Council's SPD for Biodiversity and Geodiversity and is unacceptable in regard to the applicant presenting insufficient information.*

2023/0920 – Erection of 1no detached dormer bungalow and associated works including conservatory to rear – withdrawn by applicant December 2023

2023/0937 – Outline application for 2no dwellings (all matters reserved) – Refused July 2024

1. *The application site is located on a plot which has been identified and allocated as Green Space within the Adopted Local Plan and the Council's Green Space Register. In line with Local Plan Policy GS1 and the Council's adopted Supplementary Planning Document for Open Space Provision on New Housing Development, the developer is required to enter into a legal agreement to secure the financial compensation to secure community benefit to outweigh the loss of the green space on the site. The applicant has refused to enter into such a legal agreement which would be contrary to Local Plan Policies GS1, I1 and the adopted Supplementary Planning Document for Open Space Provision on New Housing Development, rendering the proposed development unacceptable in principle.*

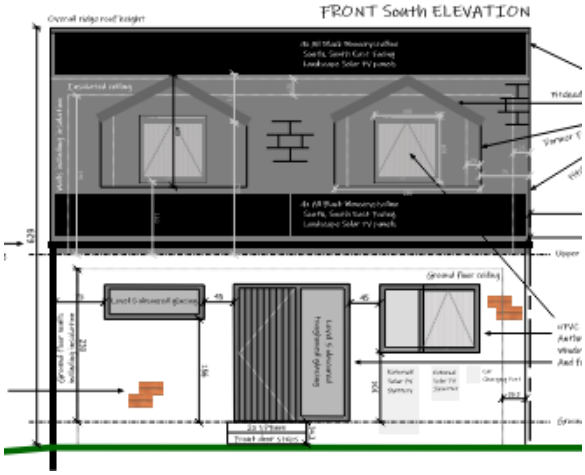
2024/0637 – Outline permission for the erection of 1no detached bungalow considering access, landscaping, scale and layout – currently under consideration.

Proposed Development

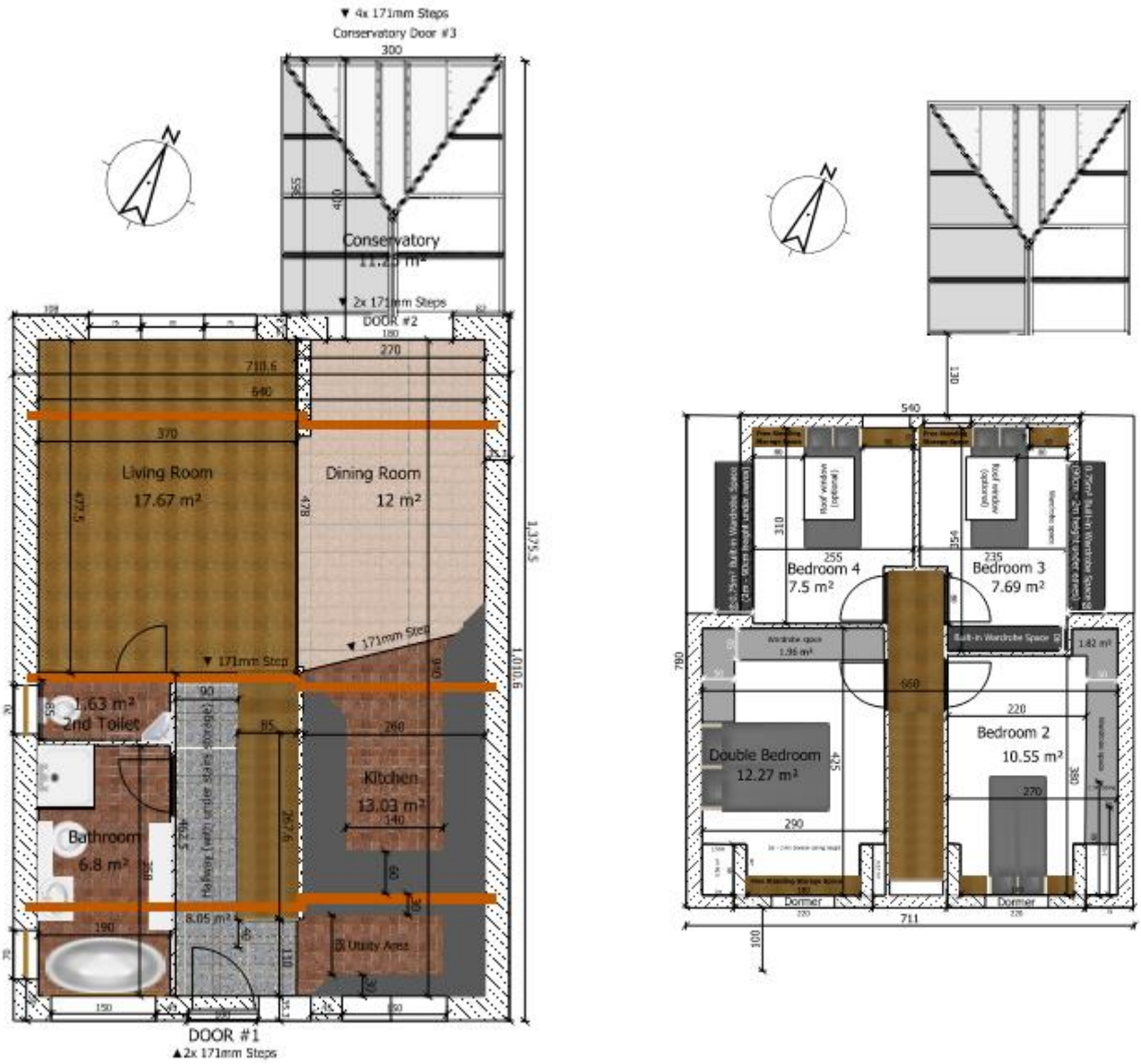
Planning permission is sought for the erection of 1no detached single storey dwelling utilising rooms within the roof space in the form of front and rear dormer windows and the inclusion of a rear conservatory.

The dwelling is to be laid out in a traditional manner with living accommodation at ground floor level and bedrooms at first-floor level within the roof space. The scheme involves a parking area for 2no vehicles along with a soft landscaped area to the front/side of the dwelling.
It is proposed to construct the dwelling from red brick, with grey roof tiles and Solar PV panels to the front roof plane and to install UPVC windows in anthracite grey.









Policy Context

Local Plan

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it. The National Planning Policy Framework represents up-to-date government planning

policy and is a material consideration that must be taken into account where it is relevant to a planning application.

The site is allocated as Green Space and Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant: -

Policy GS1 Green Space
Policy H4 Residential Development on Small Non-allocated Sites
Policy I1 Infrastructure and Planning Obligations
Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy T4 New development and Transport Safety
Policy Poll1 Pollution Control and Protection
Policy BIO1 Biodiversity and Geodiversity
Policy SD1 Presumption in favour of Sustainable Development
Policy LG2 The Location of Growth
Policy H1 The Number of New Homes to be Built
Policy H2 The Distribution of new Homes
Policy RE1 Low Carbon and Renewable Energy

Adopted Supplementary Planning Documents

Open Space Provision on New Housing Developments
Design of Housing Development
Parking
The South Yorkshire Residential Design Guide (SYRDG)

National Planning Policy Framework (NPPF) - December 2023

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 60 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

Paras 75-79 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 131 - The creation of high-quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 136 – trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Para 139 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 180 – Planning policies and decisions should contribute to and enhance the natural and local environment.

Consultations

Biodiversity Officer – No objections subject to the development commencing in line with the recommendations of the Preliminary Ecological Appraisal Report and conditions.

The Coal Authority – No objection raised subject to conditions. Comments made on application 2023/0937 on 15th January 2024 are relevant and should be transferred to this application.

Highways DC – No objections subject to conditions.

Drainage – No objections raised; happy for details to be assessed by Building Control.

South Yorkshire Mining Advisory Service (SYMAS) – The applicant has used an old report which was produced by SYMAS for BMBC Estates when the land was sold in 2016. SYMAS has raised no objection to the use of the report and raise no objection to the application progressing without a Coal Mining Risk Assessment (CMRA). However, a condition is requested for site investigation to ensure that there is no long-term risk to site stability.

Yorkshire Water – No objections subject to the inclusion of drainage condition

Ward Councillors – No objections received

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; 1no. representation has been received in relation to:

- Impact on light, privacy and enjoyment of home
- Overbearing
- Overlooking – The property's ground floor alone would be positioned above rear boundary fence, due to the variation of the height and decline of the land.
- Overshadowing

Assessment

Principle of Development and Loss of Green Space

The site is allocated as a Local Neighbourhood Greenspace with the Local Plan and the Green Space Register. In such circumstances development should only be permitted where an assessment shows that there is too much of that particular type of green space in the area which it serves and where its loss would not affect the needs of the Borough.

The former council owned site has become overgrown and is not currently used as green space nor is there any un-restricted access to the site. It is considered that the re-development of the site would not affect the existing or potential green space needs of the borough as there are numerous green spaces within close proximity to the site, include two larger scale recreation grounds and playing fields.

Additionally, the development will be required to comply with Local Plan Policy I1: Infrastructure and Planning Obligations and the Council's SPD for Open Space Provision on New Housing Developments. The SPD states that

> Section 4.1 - Green spaces are 'green' open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments woodlands wildlife areas, recreation grounds, sports pitches, play areas and parks. We will seek to protect green space from development, particularly where an assessment indicates that there are current deficiencies within an area.
>
> Section 4.2 - When we receive a planning application to redevelop green space for an alternative use, we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space. As set out in Policy GS1, compensation could include on-site retention and enhancement, off-site replacement or financial contribution. In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.

Local Plan Policy I1 states development must contribute as necessary to meet all on and off-site infrastructure requirements to enable development to take place satisfactorily. The contributions are typically sought through a Legal Agreement. On sites currently functioning as green space, redevelopment of the site would require the development to compensate for the loss of the green space.

When assessing the site against the relevant local plan polices and the associated SPD, the LPA is firstly required to assess the existing use of the site as green space, taking into account the surrounding area, whether there is enough provision of that particular green space type nearby and whether its loss would not affect the existing and potential green space needs in the area. The site visit showed that the Green Space is not well maintained, is overgrown and there are significant level differences within the site. The Council's mapping system showed that there are other green spaces nearby which serve a better function than the application site, most pertinently the 2no pieces of green space (parks) on Warren Quarry Lane 120m to the east and north-east which would better serve the local community. In comparison, the application site does not serve a formal function for the surrounding residents and is privately owned with the potential that the site could be easily secured. When assessed against the table within paragraph 17.17 on page 233 of

the Local Plan, the green space of the site can be described as 'low quality and low value' which states that the space may not be needed, and the Council may allow it to be built on. As such, it is therefore considered that the loss of the green space to redevelop the site is acceptable subject to compensation payable as set out in the adopted Supplementary Planning Document (SPD) "Open Space Provision on New Housing Developments".

Given the lack of functionality it is considered appropriate to release the site for development, subject to a contribution calculated at £125,640 per hectare of green space that will be lost to development. In this case, a payment of £4183.81 as compensation to be used on off-site green space enhancements as that would be of greater benefit, is required. The calculation is based on a site area of 0.0333ha as measured from the site plan provided by the applicant but excluding the indicative parking area, as this is not allocated as green space.

Local Plan Policy GS1 and Section 4.2 of the SPD is clear in that the Council would seek compensation for redevelopment of sites that have been allocated as Green Space, the applicant is required to enter into an agreement in order to secure community benefit to outweigh the loss of the green space. The financial contribution would be payable through a legal agreement and would contribute to improving existing green space in the area, or creation of new green spaces for the community.

The site is located within a wider allocation of Urban Fabric. The site is also located in a residential area and so it therefore follows that redevelopment for housing is a compatible use. The site is located within Urban Barnsley which is the main focus for housing growth.

Local Plan Policy H4 'Residential Development on Small Non-allocated Sites' states that proposals for residential development on sites below 0.4Ha will be allowed where the proposal complies with other relevant policies in the plan. These sites make a valuable contribution to the housing supply. Sites in towns and villages can offer good opportunities for providing houses where other people already live, near to shops and services. Developing these sites also reduces the need to provide new sites outside settlement boundaries. We will allow small scale residential development within towns and villages in line with other plan policies, including those protecting peoples living conditions, road safety and design.

In addition to the above all new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below.

Residential Amenity

Whilst the site and surrounding area have significant topographical differences; it is considered that there is potential to develop the site for residential purposes.

Indicative siting and design plans were submitted as part of application 2023/0937, and whilst this application was refused, it was established that a dwelling could be accommodated on the plot which met the relevant separation distances as outlined within Supplementary Planning Document – Design of Housing Development (SPD).

The SPD states that the distance between facing habitable room windows should be 21m, the distance between a habitable room window and a blank gable wall should be 12m and that habitable room windows at first floor level and above should be a minimum of 10m from the boundary of any private garden which they would face. A reduced distance to the rear boundary

may be accepted for bungalows provided they meet garden size standards and ensure adequate levels of amenity for occupants in terms of outlook, privacy and daylight.

The dwellings fronting onto Highstone Avenue are sited in a linear manner, directly to the west of, and at a lower level to the site and the proposed dwelling.
The 1 ½ storey dwelling is sited within the site such that it would be located parallel to 16 Surrey Close and at an angle to the dwellings on Highstone Avenue, directly to the rear of the gardens associated with numbers 36 and 38. Whilst located directly to the rear of these properties, and at a higher level, between 14.5m and 19m is retained between the habitable room windows and the blank side gable wall, in excess of the minimum distance of 12m. It is therefore considered that the proposed dwelling would not result in a loss of outlook or increase levels of overshadowing. In addition, there are no windows located on the side elevation of the proposed dwelling so there would be no increase in levels of overlooking of these properties.

Comments have been made from 34 Highstone Avenue in relation to the overbearing, overlooking and overshadowing impacts on the property from the proposed dwelling.

As mentioned previously, it is acknowledged that the proposed dwelling would be situated at a higher level than the dwellings on Highstone Avenue, and due to the shape of the plot and the orientation of the proposed dwelling, the side boundary of the plot would bound the rear boundary of 32 and 34 Highstone Avenue. However, due to the siting of the proposed dwelling, it's orientation to the path of the sun and its relationship with 34 Highstone Avenue, it is not considered that it would lead to an increase in overshadowing or reduce levels of outlook given that the north-western corner would be located 12.8m from the nearest point on the potentially affected dwelling.

Whilst located at a higher level, it is considered that any boundary treatment (subject to condition) enclosing the rear private amenity space could provide sufficient screening to limit increasing levels of overlooking of the surrounding properties from the proposed rear ground floor habitable room windows, conservatory and the private amenity space.

The mid-point of the first-floor habitable room windows located within the rear dormer window are situated between 17.2m and 17.9m from the rear elevation of 34 Highstone Avenue (as extended) and in excess of 21m to the rear elevation of 32 Highstone Avenue. It is acknowledged that this falls short of the 21m required by the SPD, however, given that the proposed dwelling would be sited at an angle to the rear elevation and not directly face the potentially affected properties, in this instance, it is considered a reduced separation distance would be acceptable.
In addition, the proposed dwelling is sited within the site such that a minimum of 10m is maintained from the mid-point of the first-floor habitable room windows to the rear boundaries with the surrounding properties. It is therefore considered that the proposed dwelling would not increase levels of overlooking of the surrounding properties to an unreasonable level and as such is acceptable. Nevertheless, conditions will be included to remove permitted development rights and to approve suitable boundary treatments to further protect surrounding residents.

As mentioned previously, an application is currently under consideration to the rear of the site (2024/0637) which has been submitted by the same applicant. Consideration has been given to the proposal to the rear and the siting of both dwellings meet the required separation distances not to increase levels of overlooking, overshadowing or loss of outlook.

The proposed dwelling would be situated, for the most part, within the building line of 16 Surrey Close, however, it is acknowledged that it would project forward of this dwelling and be located to the south. Nevertheless, the proposed dwelling would be separated from 16 Surrey Close by the driveway associated with this property and the access within the blue line boundary serving the plot to the rear. This separation will also limit any increase in overlooking from the proposed rear

conservatory extension. The dwellings are sited such that the proposal would not result in overshadowing or loss of outlook from existing dwellings on Surrey Close. The dwellings on the opposite side of Surrey Close are located at a higher level and meet the minimum separation requirements between facing habitable room windows.

The South Yorkshire Residential Design Guide (SYRDG) is referred to in the Local Plan para 13.5, which states that development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:

Building for Life 12 (for residential developments of 10 or more dwellings).
Secured By Design/ Safer Places- the Planning System and Crime Prevention.
Manual for Streets (for residential developments).
Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
The South Yorkshire Residential Design Guide.

Invariably this includes providing sufficient living conditions in line with Policy GD1 - General Development to ensure that the living conditions and residential amenity of people are protected. It is acknowledged that the South Yorkshire Residential Design Guide applies specifically to 10 or more dwellings but, in its introduction, it clarifies that many of the guidelines are also appropriate to smaller developments, and it provides a point of reference when assessing schemes of less than 10 dwellings.

With regards to the residential amenity of the future occupants of the proposed dwellings; the properties are proportioned with the overall floor area of the property exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide.

The internal arrangement ensures that the rooms meet the requirements of the SYRDG, however, bedroom 1 falls minimally short of the requirements of 12m2, however given that the remaining rooms exceed the requirements for single rooms, this shortfall is considered acceptable. The SYRDG also states that dwellings with 3 or more bedrooms should have a private amenity space exceeding 60m2. The proposed dwelling is designed with a private amenity space to the rear and an area to the side of the dwelling, the area to the rear alone exceeds 60m2. It is therefore considered that on balance the proposed dwelling would not have a detrimental impact on the amenity of the future occupiers of the dwelling and as such is considered acceptable

It is in this regard that the proposed development complies with SPD Designing New Housing development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

Visual Amenity

The site is located at the head of a residential cul-de-sac on a non-prominent plot and given there is a wider variety of dwelling types in the surrounding area, excluding Surrey Close, some flexibility can be afforded to allow the site to be developed.

It is acknowledged that the proposed dwelling is set forward of the neighbouring property 16 Surrey Close, however there is no defined building line along the street with the pairs of dwellings being set at an angle to the highway and each other, therefore the siting of the proposed dwelling would not be out of character with the wider street scene.

The proposed dwelling would front onto Surrey Close and is designed as a single storey property utilising room within the roof space via dormer windows to both the front and rear elevations.

It is noted that planning application 2023/0173 was refused on the basis that the dwelling incorporated a flat roof dormer to the front elevation. The report referred to more attractive pitched roof dormers nearby, on Warren Quarry Lane, approximately 125m to the south-east (addressed as Wentworth Court) and it indicated that these dormers present a clear precedent on what type of dormer design has been established in the area and which would be considered acceptable. The applicant has taken these comments on board and has proposed 2no pitched roof, vertically proportioned dormer windows to the front elevation which are proposed to be tile hung to match the materials used in the construction of the main roof.

It is proposed to utilise a smooth grey roof tile for the roof covering and dormer window cheeks and to construct the dwelling from a multi-red brick. Whilst a specific product has not been identified, a red-multi brick between different manufacturers is indistinguishable and would match the dwellings in the area and as such is acceptable. The dwelling has been sited with an area of landscaping to the front and side with the parking area off-set to the side to limit the dominance of frontage parking, which reflects the prevailing character of the area

Boundary treatments and landscaping have been identified on plan; however, no details has been provided and as such will be conditioned to be submitted upon commencement of development.

Based on the above assessment, it is therefore considered that the proposed dwelling would not be out of character with the area and is considered acceptable and in compliance with Local Plan Policy D1.

Highways Considerations

The proposals are very similar to those of previous applications, 2023/0173 and 2023/0937, where highways officer raised no objection to the proposed development. The proposed scheme includes off-street parking provision for at least two vehicles, in line with the requirements set out in the Barnsley Supplementary Planning Document (SPD) Parking (2019) Table 1.

Given that Surrey Close is a cul-de-sac and the parking area is positioned at the end of the turning head, there are no accessibility issues in terms of turning manoeuvres to/from the spaces proposed and the site is in a sustainable location with access to local amenities and good public transport links.

It is therefore considered that the proposed development is in line with the Council's SPD for Parking and Local Plan Policy T4: New Development and Transport Safety and is acceptable in terms of highways safety.

Biodiversity

National requirements have seen the introduction of Biodiversity Net Gain (BNG). In England; BNG is mandatory under the Town and Country Planning Act 1990, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development. These regulations were introduced on 12th February 2024 and applied to any application submitted after this date. Whilst this application was submitted after this date, there are exemptions which can be applied; one of which is an exemption where the development is a custom/self-build and therefore the national BNG requirements would not apply in this instance.

The site visit showed that the site is vegetated, predominantly grassland and small shrubs. The application has been supported by an ecology survey. The Council's ecologist has been consulted on the application and raises no objection to the information and recommendations outlined within the submitted ecology report and subject to the inclusion of additional conditions.

Drainage

Colleagues in Drainage have assessed the proposed development and associated details and raised no objections and are happy for the drainage details to be checked by building control.

Other Issues

The applicant has proposed to install Solar PV Panels on the front, south facing roof plane, to limit the developments impact on the climate.

Conclusion

The application is for the erection of 1no detached dormer bungalow on a site located within Urban Fabric in what is an established residential area and residential development on small non-allocated sites is acceptable in principle subject to other local and national planning policies being complied with. However, the site has also been allocated as Green Space in the Local Plan and assessment against Local Plan Policy GS1 and the Council's SPD for Open Space Provision on New Housing Development is a key consideration in terms of the principle of development.

Local Plan Policy GS1 requires the Local Planning Authority to take a judgement as to what quality the green space is and what value is placed on its use, the surrounding green space provision in the area and generally whether its removal would be acceptable. An assessment on site has shown that the green space is of low quality and low value, with better quality and higher value green space in close proximity. Furthermore, the site is privately owned and serves no formal function for the local community, therefore, its loss is considered to be acceptable. The applicant has agreed to enter a S106 agreement to secure a compensation payment of £4183.81 for the loss of green space.

The development ensures that adequate levels of amenity are retained for the neighbouring residents and future occupiers of the proposed dwelling. The erection of 1no 4 bed property, which whilst only a small contribution, would add to the housing supply. On balance, it considered that the erection of the detached dwelling is acceptable and in compliance with Local Plan Policies H4, GD1, D1 and T4.

Recommendation

Approve with Conditions

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
   Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out strictly in accordance with the amended plans and specifications as approved unless required by any other conditions in this permission.
   Plan references
   Proposed Site Plan V3 dated 17th July 2024 received 22nd July 2024
   Proposed Floor Plans V2 dated 17th July 2024 received 22nd July 2024
   Proposed Elevations V4 dated 14th August 2024 received 14th August 2024
   Preliminary Ecology Appraisal produced by Wildscapes ref
   Wildscapes_P2047_01_V1_PEAR dated November 2023

Design and Access Statement
Reason: In the interests of the visual amenities of the locality in accordance with Local Plan Policy D1 High Quality Design and Place Making.

3. The external materials shall match those specified within the plans outlined above.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1.

4. No development shall take place until a Precautionary Working Method Statement (PWMS) for small mammals, birds and amphibians has been submitted to and approved in writing by the Local Planning Authority. The PWMS should be completed by a suitably qualified ecologist and the approved PWMS shall be implemented in full according to the specified timescales.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

5. Prior to the commencement of development, details of surface water drainage works shall be submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.
The approved works shall be completed prior to the piped discharge of surface water from the development.
Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal

6. No development shall commence until;
a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.
The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.
Reason - Land stability NPPF sections 189 a, b and c. 190 and 180 e & f

7. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

8. Upon commencement of development a plan indicating the position of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.
   Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property and in accordance with Local Plan Policy GD1 General Development.

9. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity
   Reason - Land stability NPPF sections 189 a, b and c. 190 and 180 e & f

10. The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures. The measures listed below shall be implemented in full, prior to first occupation of the site, and full details including photographic evidence provided to the Local Planning Authority upon installation; the features shall thereafter be permanently retained.
    - One integrated bat roosting box and integrated swift boxes to be installed in suitable locations within the new dwelling;
    - Hedgehog highways to be installed in all boundary fencing. The hedgehog highways will be signposted to prevent residents blocking the gaps; and
    - Trees and scrub on site to be replaced at a ratio of 2:1 to those lost and should comprise native species of local provenance.

    Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

11. During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays
    Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
    Reason: To safeguard the amenities of surrounding residents in accordance with Local Plan Policy GD1 General Development

13. The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal Report and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.
    Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

14. The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e., not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
    Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.
    Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity and Geodiversity.

16. All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.
    Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

17. The gradient of the vehicular accesses/driveways shall not exceed 1 in 12 as measured from the edge of adjacent carriageway.
    Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4 New Development and Transport Safety.